

# **Town of Drumheller COUNCIL MEETING MINUTES**

**November 9, 2009 at 4:30 PM**  
**Council Chamber, Town Hall**  
703-2nd Ave. West, Drumheller, Alberta



## **PRESENT:**

**MAYOR:**

Bryce Nimmo

**COUNCIL:**

Andrew Berdahl

Karen Bertamini

Blaine McDonald

Don Guidolin

Sharel Shoff

Terry Yemen

**CHIEF ADMINISTRATIVE OFFICER/ENGINEER:**

Ray Romanetz

**DIRECTOR OF INFRASTRUCTURE SERVICE**

Allen Kendrick

**DIRECTOR OF CORPORATE SERVICES:**

Michael Roy

**DIRECTOR OF COMMUNITY SERVICES:**

Paul Salvatore

**RECORDING SECRETARY:**

Linda Handy

## **1.0 CALL TO ORDER**

- 1.1 Mayor Bryce Nimmo extended appreciation to Mac Jones and Jane Danis for their service on the Police Committee. Jane Danis could not make the meeting but asked Mac Jones to pass on her comments that she appreciated the opportunity to serve in this capacity.

## **2.0 MAYOR'S OPENING REMARK**

- 2.1 Mayor Bryce Nimmo presented a letter from Hon. Cindy Ady, Minister of Alberta Tourism, Parks and Recreation advising of a 60 - day public comment period to complete the final steps in the transfer of Hoodoos Provincial Recreation Area to the Town of Drumheller.

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- 2.2 Mayor Bryce Nimmo presented a letter from Hon. Hector Goudreau, Minister of Employment and Immigration advising that his department is seeking nominations for two awards: The Employer Youth Award of Distinction and The Employer of Persons with Disabilities Award of Distinction.
- 2.3 Mayor Bryce Nimmo presented a letter from Hon. Ray Danyluk, Minister of Municipal Affairs advising that the Drumheller Memorial Arena Dehumidifier will receive \$125,000 under the capital funding component of the Municipal Sustainability Initiative.
- 2.4 Mayor Bryce Nimmo extended congratulations to Karen Ann Bertamini who was chosen to receive AUMA's 2009 Distinguished Service Award (this award recognizes the dedication of Elected Officials of Urban Municipalities in Alberta, who have served twenty (20) or more years on Municipal Council and the Award of Excellence (this award recognizes outstanding civic leadership by present and past Municipal Elected Officials). The award presentation took place during the AUMA Annual General Meeting in Calgary on November 4, 2009.
- 2.5 Mayor Bryce Nimmo extended congratulations to Ray Romanetz who was chosen to receive AUMA's prestigious 2009 Dedicated Chief Administrative Officer Award. This Award recognizes the dedication to municipal government and Chief Administrative Management. He explained that this award is also voted on by Ray's peers within local government. The award presentation took place during the AUMA Annual General Meeting held in Calgary on November 4, 2009.
- 2.6 Mayor Bryce Nimmo proclaimed the week of November 15th to November 22nd as Restorative Justice Week 2009 within Canada, and throughout the world.

### 3.0 PUBLIC HEARING

### 4.0 ADOPTION OF AGENDA

**MO2009.199** Bertamini, McDonald moved to adopt the agenda as presented. Carried unanimously.

### 5.0 MINUTES

#### 5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

- 5.1.1 Organizational Council Meeting Minutes of October 26, 2009  
**MO2009.200** Guidolin, Bertamini moved to approve the Organizational Meeting Minutes of October 26, 2009 as presented. Carried unanimously.
- 5.1.2 Regular Council Meeting Minutes of October 26, 2009  
**MO2009.201** Shoff, McDonald moved to approve the Regular Meeting

Minutes of October 26, 2009 as presented. Carried unanimously.

## **5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION**

5.2.1 Municipal Planning Commission Meeting Minutes of October 1, 2009

5.2.2 Municipal Planning Commission Meeting Minutes of October 15, 2009

## **5.3. BUSINESS ARISING FROM THE MINUTES**

## **6.0 DELEGATIONS**

Ken Schinnour stated that there was an error in assessment for improvements on the site for the Allied building in 2007. He stated that he talked to Administration twice about the error with no correction made to the double assessment. He stated that he was advised of the proper process in a letter resulting in his request before Council to cancel taxes resulting from the assessment error.

## **7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS**

## **8.0 REQUEST FOR DECISION REPORTS**

### **8.1. CAO**

#### **8.1.1 RFD - Community Facility Project**

R. Romanetz advised further to discussion held at Council's Committee Meeting of November 2nd, there is a need for a motion of support on the community facility project as a whole.

**MO2009.200** Shoff, Yemen moved that whereas, the Town of Drumheller commissioned Graham Edmunds Cartier Architects and Randall Conrad and Associates to complete a Recreational Master Plan and Interim Needs Assessment in June, 2005.

Whereas, Council in October, 2006 passed a resolution committing to hold a plebiscite regarding the question of facility location before the project would proceed.

Whereas, In the summer of 2008, a Community Facility Survey was conducted in Drumheller in connection with a municipal census and on August 12, 2008 RC Strategies Inc. presented the Community Facility Census Survey Report confirming 78% support for the construction of a facility.

Whereas, Council approved the Plebiscite Vote to be held on November 3, 2008 with the question being "Are you in favour of constructing a Community Facility on the location that includes the lands known as John Anderson Park?" and the vote results were 67% yes and 33% no.

Whereas, On December 8, 2008, Council approved their 2009 Strategic

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Business Plan with one of their corporate priorities being the construction of a Community Facility.

Whereas, In June, 2009 Canada Alberta Building Canada Fund announced that the Badlands Community Facility – Library Project had been approved in the amount of \$3M from Federal Government and \$3M from the Province.

Whereas, At a Special Council Meeting held on July 13, 2009, Council agreed to retain the firm of GEC for architectural services as outlined in their proposal dated June 29, 2009.

Whereas, On August 24, 2009 Council adopted Bylaw 14.09 being a borrowing bylaw for the construction of the Community Facility in the amount of \$6M over twenty years.

Whereas, On August 31, 2009 Council approved an initial budget with funding sourced from debentures, reserves, grants and donations.

Whereas, the construction of the Badlands Community Facility is progressing on schedule with the architect firm of Graham Edmunds Cartier currently working on the design and the preliminary site work scheduled for late 2009.

Whereas, Council having reviewed all decisions, resolutions and actions taken by it, the Community Facility Steering Committee and the Fundraising Sub Committee.

THEREFORE, BE IT RESOLVED THAT Council supports the construction of the Badlands Community Facility as outlined in the Recreation Master Plan to be located at John Anderson Park starting with a field house, running track, fitness centre, meeting facilities and a public library followed by a second ice surface and curling rink as funding becomes available.

Carried unanimously.

#### 8.1.2 RFD - 2010 Funding Request for Red Deer River Watershed Alliance

R. Romanetz presented the Red Deer River Watershed Alliance funding request for 2010 in the amount of 50 cents per capita which equates to \$3,996.00 for Drumheller (based on a population of 7932). He further stated that the Red Deer River Municipal Users Group serves as an effective municipal lobbying group and works in cooperation with the Watershed Alliance.

**MO2009.201** Bertamini, Berdahl that Council agree to participate in the Red Deer River Municipal Watershed Alliance and approve a contribution of \$0.50 per capita for their 2010 year. Carried unanimously.

### 8.2. Director of Infrastructure Services

#### 8.2.1 RFD - Approval of Parking for CB District

A. Kendrick advised that Town Administration has been working with iTRANS Consulting to update the Transportation Study and other related transportation issues. He further advised that the Central Business District Study identified alternate solutions which have been presented to Council as well as several Public Forums. He explained that Council has already purchased several properties for more off street parking in the core. These parking

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areas would be developed prior to the other changes required to implement Alternate #1 (removal of angle parking on both sides of 3rd Avenue West from 2nd Street West to Centre Street to be replaced with parallel parking) . Administration feels that by making this decision well in advance it would give the local businesses some time to plan on making any adjustments to how they operate (eg. access off the back lane, etc) if they wished to do so. He further explained that the earlier decision would also allow the staff to include the changes into the line painting contract and ensure all the changes are well planned out in advance. He stated that the changes would be made before the long weekend in May 2010.

**MO2009.202** Yemen, Shoff that Council approve the implementation of Alternative #1 as presented in the Central Business Study.

Discussion on Motion:

Councillor A. Berdahl stated that the decision should be postponed until the Drumheller Chamber of Commerce or the Downtown Business District has had an opportunity to respond to Alternative #1. Councillor D. Guidolin asked the process for removal of the line markings. A. Kendrick explained that the current markings will be sandblasted to allow for the new markings. Councillor K. Bertamini asked if the dinosaur islands would be removed. A. Kendrick advised that some of the islands may require modification or reduction prior to the implementation of parallel parking by early next spring. Councillor B. McDonald stated that although public consultations were held there could be a short extension to allow further input from the stakeholders. R. Romanetz stated that the Town through the sustainability planning process will be holding further public consultations to discuss opportunities for downtown revitalization, transportation, standards, etc. He further explained that Council needs to provide direction so that staff can move forward with the improvements and capital planning for 2010. Councillor S. Shoff stated that the Town has shown leadership in the process and has addressed concerns expressed by the business owners regarding new parking that will be available for their patrons and employees. Councillor T. Yemen stated that Council should postpone a decision for two more weeks to have one more meeting with the major users.

Vote on Motion:

4 in favor - Guidolin, Shoff, Nimmo, Bertamini

3 against - Yemen, McDonald, Berdahl

Motion carried.

8.2.2 RFD - Award of Tender for Groundworks (Community Facility Project)

A. Kendrick advised that tenders for the site grading at the Badlands Community Facility closed on November 5, 2009 with 12 bids received. He stated that the low bidder was 303554 Alta Ltd. with a tender amount of \$251,774.25 including GST. He explained that after the tender was opened the bidder advised that he had made an error in the amount of approximately \$100,000.00. After reviewing this matter with the Town's Solicitor and MPE,

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Administration instructed MPE to discuss options with the low bidder to either honor their bid or to withdraw their bid. They will be required to provide a letter acknowledging that they will have no recourse to the Town and allowing the Town to pursue other options. He further explained that as a result Administration is recommending that the second lowest bidder Foran Equipment Ltd. be awarded the contract in the amount of \$363,076.46. The engineering estimate for this project was approximately \$305,434.50.

**MO2009.203** Berdahl, Bertamini moved that Council award the tender for the grading of the site for the Badlands Community Facility to Foran Equipment Ltd in the amount of \$363,076.46 (including GST).

Discussion on Motion:

Councillor A. Berdahl asked if the letter of withdrawal has not been received as of yet would there be any liability issues with proceeding with the award to another contractor. R. Romanetz stated that the motion should be subject to receiving a release from the low bidder.

Berdahl, Bertamini agreed to a friendly amendment:

**MO2009.203A** Berdahl, Bertamini moved Council award the tender for the grading of the site for the Badlands Community Facility to Foran Equipment Ltd. in the amount of \$363,076.46 (including GST) subject to a release from the low bidder. Carried unanimously.

### **8.3. Director of Corporate Services**

#### **8.3.1 RFD - Request to Correct the 2007 Tax for Legal Portion of NE 2-29-20-W4M and Plan 0312690 Block 60 Lot 2**

M. Roy stated that a letter has been received regarding an error to the assessment record for a property located at Portion of NE 2-29-20-W4M and Plan 0312690 Block 60 Lot 2. The error in the assessment records were subsequently corrected in the 2008 assessment records. He explained that on an annual basis all property owners or parties with interest in the property receive assessment notices and are given 30 days to appeal their assessment. He further explained that no appeal of assessment was made for the properties in question. He stated that regardless of the assessment appeal process if there is an error in the assessment record the record can be correct in the current year only. He further stated that Council has the options as stated under Section 347 of the MGA if it considers it equitable to do so, they can a) cancel or reduce tax arrears; b) cancel or refund all or part of a tax; and c) defer the collection of a tax. He stated that the amount of dollars in question is \$2453.04 with \$1,663.15 being the municipal portion and \$789.89 being the school requisition.

**MO2009.204** Bertamini, Shoff that Council direct Administration to refund the total amount \$2453.04 which includes both the municipal and school requisition.

6 in favor - Guidolin, Shoff, Nimmo, Bertamini, McDonald, Yemen  
1 against - Berdahl  
Motion carried.

#### **8.4. Director of Community Services**

### **9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION**

### **10.0 PUBLIC HEARING DECISIONS**

### **11.0 UNFINISHED BUSINESS**

### **12.0 NOTICES OF MOTIONS**

### **13.0 COUNCILLOR REPORTS**

### **14.0 IN-CAMERA MATTERS**

**MO2009.205** Bertamini, Shoff moved to go in camera at 5:10 PM. Carried unanimously.

14.1 Land Matter- Legal Description Plan 3946ET Portion of Lot 1

**MO2009.206** Yemen, Bertamini moved to go into regular Council meeting at 5:20 PM. Carried unanimously.

There being no further business, the Mayor declared the meeting adjourned at 5:20 PM.

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MAYOR

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CHIEF ADMINISTRATIVE  
OFFICER